

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF ALABAMA
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September 14, 2007

NOTICE OF CORRECTION

From: Clerk's Office

Case Style: Timothy Williams v. United States of America

Case Number: #2:07-cv-00742-MEF

Referenced Document: Document #4
Affidavit

This notice has been docketed to enter the corrected pdf of the referenced document into the record. The original pdf did not contain a certificate of service. The corrected pdf is attached to this notice.

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

TIMOTHY WILLIAMS)	CIVIL ACTION NO. 2:07cv742-MEF
)	(CR. NO. CR-05-216-F)
Petitioner,)	
v.)	
)	
UNITED STATES OF AMERICA)	
)	
Respondent.)	

AFFIDAVIT

STATE OF ALABAMA)
)
COUNTY OF MONTGOMERY)

I, TIFFANY B. MCCORD, state the following:

1. I am an attorney admitted to practice law in Alabama, the Middle District of Alabama and the Court of Appeals for the Eleventh Circuit. I have been licensed to practice law in Alabama since 2002.
2. In order to prepare this affidavit, I have reviewed the my office case file in *United States v. Timothy Williams*, CR-05-216. Details not contained in the case file and pleadings are based upon my best recollection of the events surrounding my representation of Mr. Williams.
3. I was appointed to represent Mr. Williams after his prior counsel asked to withdraw due to a conflict of interest. However, Mr. Williams had already entered into a plea agreement, changed his plea to guilty, and conducted a pre-sentence interview prior to my representation of him.
4. Mr. Williams raises three separate claims of ineffective assistance of counsel in his §2255

petition: (1) counsel's failure to raise subject matter jurisdiction challenges; (2) that his arrest was unlawful; and (3) counsel's failure to file a direct appeal. Because I only represented Mr. Williams through his sentencing, I do not have any information as it relates to the first two claims.

5. As to the final claim, Mr. Williams signed and filed a plea agreement wherein he waived his right to appeal.
6. I communicated with Mr. Williams numerous times concerning his sentence and his case. In those communications, we discussed a direct appeal. Mr. Williams never indicated his desire to appeal his case. Additionally, based upon my review of the facts and circumstances of his case, there were no meritorious issues to appeal. Consequently, an appeal was not filed on his behalf. Mr. Williams claims of ineffective assistance of counsel are without merit.

Dated this the 10th day of September 2007.



TIFFANY B. MCCORD

ASB-3669-F69M

P.O. Box 1803

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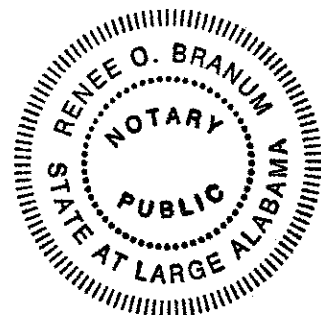
(334) 356-6529

Sworn to and subscribed before me on this 10th day of September, 2007



NOTARY PUBLIC

My commission expires: April 11, 2011



CERTIFICATE OF SERVICE

I hereby certify that on September 13, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the U.S. Attorney's Office and the Federal Defender Program.

/s/ Tiffany B. McCord

TIFFANY B. MCCORD (ASB-3669-F69M)

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